

92388



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

AUG 28 1986

REPLY TO THE ATTENTION OF

5HE-12

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

(RA) GENE LOPSHIRE
401 W. FAIRFAX
FT. WAYNE, IN 46807

Re: Wayne Reclamation and Recycling, Inc.
Columbia City, Indiana

Dear Sir or Madam:

The United States Environmental Protection Agency (EPA) has documented the releases or threatened releases of hazardous substances, pollutants and contaminants at the above referenced site, and is planning to spend public funds to control and investigate these threatened releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 et seq., unless EPA determines that such action will be done properly by a responsible party. Responsible parties under CERCLA include the current and former owners or operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the site.

Based on data we received during our investigation concerning the hazardous substances at this site, EPA has information that indicates that you and/or your firm may be a responsible party. Before the government undertakes necessary action at the site, we would like to know if you will voluntarily perform the work required to abate any releases or threatened releases of hazardous substances, pollutants, and contaminants from the site. You should be aware that under Section 107(a) of CERCLA, where the Agency uses public funds to achieve the cleanup of the hazardous substance, you may be liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the site, including investigation, planning and enforcement.

The EPA is currently planning to conduct the following studies at the above site:

1. Further investigation to identify the local hydrogeological characteristics, and define the nature and extent of soil, air, and surface water contamination at the site, and
2. Feasibility studies to evaluate possible remedial actions to remove or contain hazardous substances, pollutants, and contaminants at the site.

In addition to the above studies, other corrective measures have been determined to be necessary to protect public health, welfare or the environment. Previously identified potentially responsible parties are currently undertaking these tasks. These corrective measures include, but are not necessarily limited to:

1. Excavate and dispose of approximately 400 drums. Approximately ninety-one of the drums are located above the surface.
2. Remove and dispose of contaminated soil around the drums.
3. Conduct a geophysical survey in order to locate any possible additional buried drums on the site.
4. Install three cluster monitoring wells between the city well field and the sludge ravine.
5. Initiate a sampling program for existing wells.
6. The sludge/muck in the sludge ravine and the oil/sludge in the oil pit will be excavated and disposed.

You should notify EPA within ten (10) days from receipt of this letter, of your willingness to participate with other PRPs in the corrective measures and/or RI/FS. EPA will assume that you decline any involvement in the corrective measures and RI/FS if you do not respond. EPA may later invite you to undertake the design and implementation of the selected remedy upon the completion of the RI/FS.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary action, or involved in a lawsuit regarding this site, you should continue such activities as you see fit; you should not interpret this letter to advise or direct you to restrict or discontinue such activities. You should report, however, the status of those discussions or that action in your letter. Please provide a copy of your letter to any other parties involved in those discussions.

Your letter to EPA should be sent to:

Lisa Smith (5HE-12)
U.S. EPA - Region V
HWEB - CERCLA Enforcement Section
230 South Dearborn Street
Chicago, Illinois 60604

A steering committee of potentially responsible parties (PRPs) has been formed by a previously notified group. You may wish to contact the chair of the steering committee and inform him of your decision on participation at:

William N. Hall
Breed, Abbott and Morgan
International Square
1875 Eye Street, NW
Washington, D.C. 20006
(202) 466-1118

In addition, EPA is seeking to obtain certain other information from you pursuant to its authority under Section 104 of CERCLA, 42 U.S.C. §9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. §6927, for the purpose of enforcing CERCLA and RCRA and for the purposes of assisting in determining the need for response to a release of hazardous substance(s) under CERCLA. The Administrator of the EPA has the authority to require any person who generates, stores, treats, transports, disposes, arranges for the disposal of, or otherwise handles hazardous wastes and hazardous substances, as those terms are defined in Section 1004(5) of RCRA, 42 U.S.C. 6903(5) and Section 101(14) of CERCLA, 42 U.S.C. 9601(14), to furnish the EPA with information related to such activities. Pursuant to these statutory provisions, you are hereby requested to submit the information requested below.

1. Copies of all shipping documents or other business documents relating to the transportation, storage and/or disposal of waste materials or substances at the above referenced site.
2. A detailed description of the generic common and/or trade name and the chemical composition and character (i.e. liquid, solid, sludge) of the waste material offered by you for transportation to, storage and/or disposal at the above referenced site.
3. For each hazardous substance identified above, please give the total volume, in gallons for liquids and in cubic meters for solids, for which you arranged disposal, and list when disposal occurred.

4. What arrangements were made to transport your hazardous substances to the above referenced site? What type of transportation was used (i.e. tankers, dump trucks, drums)?
5. Who was the transporter of your hazardous substances, what was his previous address, and what is his current address?
6. Copies of all records, including analytical results, and material safety data sheets, which indicate the chemical composition and/or chemical character of the waste material(s) transported to, stored or disposed of at the above referenced site or offered for transportation to, storage or disposal at the site.
7. A list and description of all liability insurance coverage that is and was carried by you including any self-insurance provisions, that relates to hazardous substances and/or the above referenced site and copies of all of these insurance policies.

To assist you in answering this request, the information sought pertains to any and all information in your possession, custody or control relating to the operation of the above referenced site and to the transportation, storage, and/or disposal of hazardous substances or the generation of hazardous substances which were ultimately disposed of or offered for disposal at the site. The relevant time period for this request is from 1955 through the present.

For purposes of this information request, "shipping documents" shall mean all contracts, agreements, purchase orders, requisitions, pick-up or delivery tickets, customs forms, freight bills, shipping memoranda, order forms, weight tickets, work orders, manifests, shipping orders, packing slips, bills of lading, invoices, bills, and any other similar documents that evidence discrete transactions involving shipment, or the arrangement for shipment, of waste materials to, through, or from, the above referenced site. "Waste materials" shall mean hazardous substances, solid wastes and hazardous wastes, and other materials which may or may not contain pollutants or contaminants, and shall include reclaimed and off-specification materials of any kind.

The information sought herein must be sent to EPA within thirty (30) calendar days of your receipt of this letter. Under Section 3008 of RCRA, 42 U.S.C. 6928, failure to comply with this request may result in an order requiring compliance or in a civil action for appropriate relief. These provisions also provide for civil penalties. Failure to comply with this request under Section 104 of CERCLA, 42 U.S.C. 9604 may result in a civil enforcement action being brought against you by EPA.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request, however, that any such information be handled as confidential business information. A request for confidential treatment must be made when the information is provided, since any information not so identified will not be accorded this protection by the EPA. Information claimed as confidential will be handled in accordance with the provisions of 40 C.F.R. Part 2.

The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to Region V pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the signatory should so notify EPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted pursuant to 18 U.S.C. 1001.

Your reply to request for information under Section 104 of CERCLA and Section 3007 of RCRA should be considered separate and distinct from that relating to participation in response activities at the site. It should also be sent to the address listed above.

If you need further information regarding our information request, you may contact Nicholas J. Longo of our Hazardous Waste Enforcement Branch at (312) 886-4746, or if you have any legal questions, contact Mr. Michael Berman, Assistant Regional Counsel at (312) 886-6837.

Due to the nature of the problem at this site and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. We hope that you will give this matter your immediate attention.

Sincerely yours,



 Basil G. Constantelos, Director
Waste Management Division

Attachment

A Hattersley & Son
P.O. 5366
3939 Mobile Ave
Ft. Wayne, IN 46895

Alectrico, Inc
55800 Currant Rd.
P.O. 690
Mishawaka, IN 46544

Anylin Companies, Inc.
1402 W. Main
Fort Wayne, IN 46808

Apollo Disposal
P.O. Box 410
Anyola, IN 46703

Arlo Smith
RR5
Columbia City, IN 46725

Austin Petroleum
99 E. Joe St
Huntington, IN 46750

Custard Insurance Adjusters, Inc.
P.O. Box 10479
Ft. Wayne, IN 46852

G.C.G. Enterprises
2204 Liberty Drive
Mishawaka IN 46544

Gasoline Equipment Service
Co. Inc.
P.O. 10474
Fort Wayne 46852

General Petroleum, Inc.
3919 Mobile
Fort Wayne, IN 46805

Hillsdale Tool & Mfg Co.
135 E. South
Hillsdale, MI 49242

Hinco Waste-Away Service, Inc.
707 N. Wildwood Ave.
Elkhart, IN 46750

IMCO, Inc.
P.O. Box 444
Huntington, IN 46750

Industrial Fuel Oils, Inc.,
1702 S. Fairfield Ave
Ft Wayne 46804

Limestone Products, Inc.
P.O. Box 618
Portland, IN 47371

Materials Handling Equipment Corp
7433 US Highway 30 E.
Fort Wayne, IN 46803

Means Services, Inc.
(R.A.) CT Corp
1 N. Capital Ave
Indianapolis, IN 46240

Meek Mack, Inc.
6529 Mapledowns Dr.
Ft Wayne, IN 46815

USA 1 - Enterprises Inc.
2501 LWW
Mishawaka, IN 46544

Corcordia Theological Seminary
6600 N. Clinton
Fort Wayne, IN 46825

Douglass Construction Co. Inc.
4777 Reed Rd
Ft Wayne, IN 46815

Hagerman Construction Corp
501 W. Washinton Blvd
Ft. Wayne, IN 46802

G-G Service Co,
Glenbrook Square Shopping Center
Ft. Wayne, IN

Jim Kelly Buick Inc
1819 S. Calhoun
Ft Wayne, IN 46804

Martin Oil
4501 127th Alsip
Blue Island, IL 60406

Warner & Sons
29099 U.S. Highway 33 W
Elkhart, IN 46516

Shell Car Wash
1001 W. 7th
Auburn, IN 46706

Centre Properties, Ltd
19 S. LaSalle
Chicago, IL 62521

Dekalb Central School District
P.O. Box 503
Auburn, IN 46706

Freemont Mfg
Div of Simpson Industries Inc
S. Tillotson
Fremont, IN 46737

Gates Chevrolet Corp
401 S. LaFayette
South Bend, IN 46601

Mishawaka City Schools
1402 S. Main
Mishawaka, IN 46544

Vic Trippel Plumbing, Heating,
Air Conditioning Inc.
545 W. 3 Mishawaka
Mishawaka, IN 46545

Genova Inc
7034 E. Court
Davison, MI 48423

Kreager Brothers Excavating
RR1
Cromwell, IN 46732

Naas Food
RR #5
Portland, IN 47371

Primco, Inc.
P.O. Box 9782
Ft Wayne, IN 46899

Shenkel's All Star Dairy Inc.
1019 Flaxmill Rd.
Huntington, IN 46750

Strauss, Inc.
22 E. Main St
North Manchester, IN 46962

TTP, Inc.
Rt 8
P.O. Box 317
Warsaw, IN 46580

Koontz Equipment
6946 Lilac Rd.
Plymouth, IN 46563

Amoco Oil Company
200 E. Randolph Dr.
Chicago, IL 60601

United States Gypsum Co.
3501 Canal St.
East Chicago, IN 46312

Dayco Corporation
1200 W. Michigan Ave.
Three Rivers, MI 49093

Dotco Copper Air Tools
4030 State Route 18
Hicksville, OH 43526

Edgerton Metal Products, Inc.
218 E. Bement
Edgerton, OH 43517

Edon Machine Division
Simpson Industries, Inc.
W. Indiana
Edon, OH 43518

Elkhart Products Corp.
700 Rainbow Road
Geneva, IN 46740

City of Elkhart
City Municipal Building
229 S. 2nd.
Elkhart, IN 46516

Weil-McLain
Div. of Marley Co.
Blaine St.
Michigan City, IN 46360

Wm. A. Didier & Sons
613 High St
P.O. Box 10748
Fort Wayne, IN 46853-0748

Zanxx, Inc.
100 Progress Way W.
Avilla, IN 46710

Shamban & Co. Inc.
2531 Bremer Dr.
Fort Wayne, IN 46803

Wabash Alloys, Inc.
Div. of Ogden Corp.
Old U.S. 24 W.
P.O. Box 466
Wabash, IN 46992-0466

Wabash, Inc.
411 E. South
Huntington, IN

Wayne Home Equipment
Div. of Scott & Fetzer
801 Glasgow Ave.
Fort Wayne, IN 46803-1344

Wayne Metal Protection, Co.
1511 Wabash Ave.
Fort Wayne, IN 46803-2146

Prairie View Landfill
P.O. Box 128
Wyatt, IN 46595

Roppe Rubber Corp.
101 Industrial Dr.
Angola, IN 46703-1045

Stoutco, Inc.
1 Stoutco Dr.
P.O. Box 307
Bristol, IN 46507-0307

Superior Co., Inc.
1610 N. Calhoun St.
Fort Wayne, IN 46808-2408

Supreme Corp.
16500 County Rd. 38
P.O. Box 463
Goshen, IN 46526-9354

Syndicate Sales, Inc.
801 W. Morgan
Kokomo, IN 46901-2055

Uniroyal Plastics Co., Inc.
312 N. Hill St.
P.O. Box 2000
Mishawaka, IN 46544-1320

Lobdell-Emery Mfg. Co.
10850 17th St.
Argos, IN 46501-9703

Lydell Inc., Elastomer Products Group
Gerber St.
P.O. Box 29
Ligonier, IN 46767-0491

McCord Heat Transfer Corp.
500 W. Harrison St.
Plymouth, IN 46563-1324

Metallurgical Processing, Inc.
3715 E. Washington Blvd
P.O. Box 10842
Fort Wayne, IN 46854-0842

PHD Co.
4763 N. U.S. 24, E.
Huntington, IN 46750-9617

Power Plant Service, Inc.
2010 Lakeview Rd.
Fort Wayne, IN 46808-3922

ITT Aerospace/Optical Div.
Div. of ITT Corp
P.O. Box 3700
Fort Wayne, IN 46801-3701

Indiana Die Molding
Div of Marnet Industries Inc.
9100 Front Street
Fort Wayne, IN 46818-2209

Jameson Corp. of Indiana
209 W. Ohio St.
P.O. Box 247
Kendallville, IN 46755-2015

Key Machine Tool, Inc.
53928 County Rd. 5N
P.O. Box 1004
Elkhart, IN 46515-1004

Lime City Mfg. Co., Inc.
1470 Etna Ave.
P.O. Box 509
Huntington, IN 46750-3640

BPC MFG.
Div. of Bristol Corp.
1755 N. Oak Rd.
Plymouth, IN 46563-0699

Bastian Plating Co., Inc.
625 W. 15th St.
Auburn, IN 46706-2133

Bunge Corp. of Indiana
Highway 25, P.O. Box 180
Logansport, IN 46947-0188

Chemsolv Inc.
604 S. Scott
P.O. Box 1433
South Bend, IN 46624-1433

Geneva Screw Machine Products, Inc.
U.S. 27 N., Route 1
P.O. Box 241
Geneva, IN 46740

Hy-Matic Mfg., Inc.
W. Ohio St.
P.O. Box 98
Kendaville, IN 46755

Jan Waters & Rogers
7603 Nelson Road
Ft. Wayne, IN 46803

Joe Watkins
RR 4
Fort Wayne, IN 46819

John Barcot
130 E. Suttentfield
Ft. Wayne, IN 46803

Cover-All Rental Service
3201 Brooklyn Ave.
Ft. Wayne, IN 46809

Bluffton Power Plant
514 E. Washington
Bluffton, IN 46714

Steffen Wm & Son
Implementation Shop
657 N. Main
Bluffton, IN 46714

Steffen's John Deere
Sales & Service
P.O. Box 294
Bluffton, IN 46714

K Mart Distribution Center
P.O. Box 359
Ft. Wayne, IN 46801

Maplewood Shell Service
6132 Stellhorn Road
Ft. Wayne, IN 46815

Norfolk & Western Railway Co.
8111 Nelson Rd.
Fort Wayne, IN 46803

National Heat Treating Corp.
1621 S. Monroe
Ft. Wayne, IN 46803

North American Van Lines, Inc.
5001 U.S. Highway 30 W
Ft. Wayne, IN 46818

Poorman's Heating & Air Conditioning
Services, Inc.
1417 Martin
Ft. Wayne, IN 46802

Ryder Track Rental & Leasing
District Office
5225 New Haven Avenue
Ft. Wayne, IN 46803

Shoaff Park Baptist Church
6651 St. Joe Road
Ft. Wayne, IN 46815

Shane & Hiatt Marathon
P.O. Box 125
Swayzee, IN 46986

U.S. Aviox Co.
P. O. Box 340
1800 Terminal Road
Niles, MI 49120

CMI Wabash Cast, Inc.
P.O. Box 668
Wabash, IN 46992

Ryder Truck Rental
Fort Wayne Leasing
P.O. Box 419
Fort Wayne, IN 46801

Monsanto
910 Gerber St.
Ligonier, IN 46767

Mote Construction
P.O. Box 229
Union City, IN 47390

Diester Machine
1933 E. Wayne St.
Ft. Wayne, IN 46803

Dynamic Power Corporation
RR 2, P.O. Box 148
Ossian, IN 46777

(RA) Gene Lopshire
401 W. Fairfax
Ft. Wayne, IN 46807

Fort Wayne Air Service
(RA) John Dilley
4021 Air St. Baerfield
Ft. Wayne, IN 46809

P 250 755 482

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

5HE-12

(RA) GENE LOPSHIRE
401 W. FAIRFAX
FT. WAYNE, IN 46807

PS Form 3800, June 1985

| | |
|--|----|
| Postage | 73 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt showing to whom and Date Delivered | 70 |
| Return Receipt showing to whom Date, and Address of Delivery | |
| TOTAL Postage and Fees | |
| Postmark or Date | |

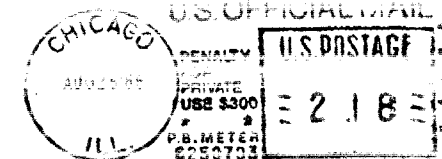
Wayne Waste Oil

L. Smith
UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY

REGION V
230 SOUTH DEARBORN
CHICAGO, IL 60604

51E-12

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



REASON CHECKED
Undelivered
Addressed incorrectly
Insufficient address number
No such street in state
No such city in state
Do not use return envelope

441 W. FAIRFAX
WAYNE, IN 46097

CLAIM CHECK
NO.

134151

☐ HOLD

DATE

8-30-86

1ST NOTICE

9/4

2ND NOTICE

9/14

RETURN

P 250 755 482

FORM 3845 OCT 1985